

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

JAMES A. SCHOOLER,	:	
Petitioner,	:	Case No. 3:05cv259
vs.	:	District Judge Thomas M. Rose
	:	Magistrate Judge Sharon L. Ovington
JAMES ERWIN, Warden,	:	
Pickaway Correctional Institution,	:	
Respondent.	:	

DECISION AND ENTRY

The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #7), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on March 31, 2006 (Doc. #7) is **ADOPTED** in full.
2. James A. Schooler's Petition for Writ of Habeas Corpus (Doc. #1) is **DENIED** and **DISMISSED**;
3. A certificate of appealability under 28 U.S.C. §2253(c) shall not issue; and
4. The case is terminated on the docket of this Court.

April 21, 2006

s/Thomas M. Rose

Thomas M. Rose
United States District Judge